

**LODI CITY COUNCIL
SPECIAL CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
THURSDAY, DECEMBER 9, 2004**

A. CALL TO ORDER / ROLL CALL

The Special City Council meeting of December 9, 2004, was called to order by Mayor Beckman at 7:03 a.m.

Present: Council Members – Hansen, Hitchcock, Johnson, Mounce, and Mayor Beckman

Absent: Council Members – None

Also Present: Interim City Manager Keeter, City Attorney Schwabauer, and City Clerk Blackston

B. CLOSED SESSION

At 7:03 a.m., Mayor Beckman adjourned the Special City Council meeting to a Closed Session to discuss the following matters:

B-1 Actual litigation: Government Code §54956.9(a); one case; People of the State of California; and the City of Lodi, California v. M & P Investments, et al.; United States District Court, Eastern District of California, Case No. CIV-S-00-2441 FCD JFM

B-2 Actual litigation: Government Code §54956.9(a); one case; City of Lodi, a California Municipal Corporation, and Lodi Financing Corporation, a California nonprofit corporation v. Lehman Brothers, Inc. and US Bank National Association, United States District Court, Eastern District of California, Case No. CIV. S-04-0606 MCE-KJM

B-3 Actual litigation: Government Code §54956.9(a); one case; Lehman Brothers Inc., v. City of Lodi and Lodi Financing Corporation, United States District Court, Eastern District of California Case No. CIV-S-04-0850 FCD/JFM

B-4 Actual litigation: Government Code §54956.9(a); one case; Fireman's Fund Insurance Company v. City of Lodi, et al., United States District Court, Eastern District of California Case No. CIV-S-98-1489 FCD JFM

The Closed Session adjourned at 8:20 a.m.

C. RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

At 8:20 a.m., Mayor Beckman reconvened the Special City Council meeting, and City Attorney Schwabauer disclosed that Council accepted settlement from the Guild parties for \$4.2 million in cash and assignment of existing assessments and experts work product. The \$4.2 million will be paid into a trust that can only be used for cleanup. In addition, the City agreed to pay \$2.2 million into a trust for environmental remediation.

D. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 8:21 a.m.

ATTEST:

Susan J. Blackston
City Clerk